

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PROTEIN SECRETION

the specification of which (check one) ☐ is attached hereto or ☒ was filed on 14 April 1999 as Application Serial No. 09/291,925.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate have a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed
Yes No

Number	Country	Day/Month/Year Filed
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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below:

<u>60/082,002</u>	<u>16 April 1998</u>
Application Ser. No.	Filing Date

<u>60/123,522</u>	<u>8 March 1999</u>
Application Ser. No.	Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Ser. No.	Filing Date	Status: Patented, Pending, Abandoned
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Application Ser. No.	Filing Date	Status: Patented, Pending, Abandoned
----------------------	-------------	--------------------------------------

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Walter E. Buting - Reg. No. 23,092
Elizabeth M. Barnes - Reg. No. 35,059
Deirdre L. Conley - Reg. No. 36,487

Mark T. Kresnak - Reg. No. 42,767
Wendy M. Lee - Reg. No. 40,378
Richard B. Love - Reg. No. 34,659

Janet E. Hasak - Reg. No. 28,616
Sean A. Johnston - Reg. No. 35,910
Dennis G. Kleid - Reg. No. 32,037
Jeffrey S. Kubinec - Reg. No. 36,575

Timothy R. Schwartz - Reg. No. 32,171
Craig G. Svoboda - Reg. No. 39,044
Lee K. Tan - Reg. No. 39,447
Timothy E. Torchia - Reg. No. 36,700

Send correspondence to Genentech, Inc.

Attn: Jeffrey S. Kubinec
1 DNA Way
South San Francisco, CA 94080-4990
Telephone: (650) 225-8228

I hereby declare that all statements made herein of my own knowledge and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from his foreign patent agent as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Full name of sole or first inventor

Avi J. Ashkenazi

Inventor's signature

Date

Residence

1456 Tarrytown Street, San Mateo, California 94402

Citizenship

United States

Post Office Address

1 DNA Way
South San Francisco, California 94080

Full name of second joint inventor, if any

Phillip W. Berman

Inventor's signature

Date



8/5/99

Residence

95 Cheyenne Pt., Portola Valley, California 94028

Citizenship

United States

Post Office Address

1000 Marina Boulevard
Brisbane, CA 94005

Full name of third joint inventor, if any

David Brousseau

Inventor's signature

Date

Residence

1274 43rd Avenue, San Francisco, California 94127

Citizenship

United States

Post Office Address

1 DNA Way
South San Francisco, CA 94080

Full name of fourth joint inventor

Tina Etcheverry

Inventor's signature

Date

Residence

1471 Greenwood Terrace, Berkeley, California 94708

Citizenship

United States

Post Office Address

1 DNA Way
South San Francisco, CA 94080

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Full name of sole or first inventor

Avi J. Ashkenazi

Inventor's signature

Date

Avi Ashkenazi

8/4/99

Residence

1456 Tarrytown Street, San Mateo, California 94402

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South San Francisco, California 94080

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Phillip W. Berman

Inventor's signature

Date

Residence

95 Cheyenne Pt., Portola Valley, California 94028

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United States

Post Office Address

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Full name of third joint inventor, if any

David Brousseau

Inventor's signature

Date

David Brousseau

8/25/99

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Citizenship

United States

Post Office Address

1 DNA Way
South San Francisco, CA 94080

Full name of fourth joint inventor

Tina Etcheverry

Inventor's signature

Date

Tina Etcheverry

8/5/99

Residence

1471 Greenwood Terrace, Berkeley, California 94708

Citizenship

United States

Post Office Address

1 DNA Way
South San Francisco, CA 94080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	ASHKENAZI ET AL.	Examiner:	R. ZEMAN
Serial No.:	09/291,925	Group Art Unit:	1645
Filed:	APRIL 14, 1999	Docket No.:	11669.78US02
Title:	PROTEIN SECRETION		

POWER OF ATTORNEY

The undersigned hereby appoints:

Albrecht, John W.	Reg. No. 40,481	Johns, Nicholas P.	Reg. No. 48,995
Ali, M. Jeffer	Reg. No. 46,359	Johnston, Scott W.	Reg. No. 39,721
Altera, Allan G.	Reg. No. 40,274	Kadievitch, Natalie D.	Reg. No. 34,196
Anderson, Gregg I.	Reg. No. 28,828	Kaseburg, Frederick A.	Reg. No. 47,695
Batzli, Brian H.	Reg. No. 32,960	Kettelberger, Denise	Reg. No. 33,924
Beard, John L.	Reg. No. 27,612	Keys, Jeramie J.	Reg. No. 42,724
Berns, John M.	Reg. No. 43,496	Knearl, Homer L.	Reg. No. 21,197
Branch, John W.	Reg. No. 41,633	Kowalchyk, Alan W.	Reg. No. 31,535
Brown, Jeffrey C.	Reg. No. 41,643	Kowalchyk, Katherine M.	Reg. No. 36,848
Bruess, Steven C.	Reg. No. 34,130	Lacy, Paul E.	Reg. No. 38,946
Byrne, Linda M.	Reg. No. 32,404	Larson, James A.	Reg. No. 40,443
Campbell, Keith	Reg. No. 46,597	Leonard, Christopher J.	Reg. No. 41,940
Carlson, Alan G.	Reg. No. 25,959	Liepa, Mara E.	Reg. No. 40,066
Caspers, Philip P.	Reg. No. 33,227	Lindquist, Timothy A.	Reg. No. 40,701
Clifford, John A.	Reg. No. 30,247	Lown, Jean A.	Reg. No. 48,428
Cook, Jeffrey	Reg. No. 48,649	Mayfield, Denise L.	Reg. No. 33,732
Daignault, Ronald A.	Reg. No. 25,968	McDonald, Daniel W.	Reg. No. 32,044
Daley, Dennis R.	Reg. No. 34,994	McIntyre, Jr., William F.	Reg. No. 44,921
Daulton, Julie R.	Reg. No. 36,414	Mitchem, M. Todd	Reg. No. 40,731
DeVries Smith, Katherine M.	Reg. No. 42,157	Mueller, Douglas P.	Reg. No. 30,300
DiPietro, Mark J.	Reg. No. 28,707	Nelson, Anna M.	Reg. No. 48,935
Doscotch, Matthew A.	Reg. No. P-48,957	Paley, Kenneth B.	Reg. No. 38,989
Edell, Robert T.	Reg. No. 20,187	Parsons, Nancy J.	Reg. No. 40,364
Epp Ryan, Sandra	Reg. No. 39,667	Pauly, Daniel M.	Reg. No. 40,123
Glance, Robert J.	Reg. No. 40,620	Phillips, John B.	Reg. No. 37,206
Goff, Jared S.	Reg. No. 44,716	Pino, Mark J.	Reg. No. 43,858
Goggin, Matthew J.	Reg. No. 44,125	Prendergast, Paul	Reg. No. 46,068
Golla, Charles E.	Reg. No. 26,896	Pytel, Melissa J.	Reg. No. 41,512
Gorman, Alan G.	Reg. No. 38,472	Qualey, Terry	Reg. No. 25,148
Gould, John D.	Reg. No. 18,223	Reich, John C.	Reg. No. 37,703
Gregson, Richard	Reg. No. 41,804	Reiland, Earl D.	Reg. No. 25,767
Gresens, John J.	Reg. No. 33,112	Samuels, Lisa A.	Reg. No. 43,080
Hamer, Samuel A.	Reg. No. 46,754	Schmaltz, David G.	Reg. No. 39,828
Hamre, Curtis B.	Reg. No. 29,165	Schuman, Mark D.	Reg. No. 31,197
Harrison, Kevin C.	Reg. No. 46,759	Schumann, Michael D.	Reg. No. 30,422
Hertzberg, Brett A.	Reg. No. 42,660	Scull, Timothy B.	Reg. No. 42,137
Hillson, Randall A.	Reg. No. 31,838	Sebald, Gregory A.	Reg. No. 33,280
Holzer, Jr., Richard J.	Reg. No. 42,668	Skoog, Mark T.	Reg. No. 40,178
Hope, Leonard J.	Reg. No. 44,774	Spellman, Steven J.	Reg. No. 45,124
Jardine, John S.	Reg. No. P-48,835	Stewart, Alan R.	Reg. No. 47,974

Stoll-DeBell, Kirstin L.	Reg. No. 43,164	Whipps, Brian	Reg. No. 43,261
Sullivan, Timothy	Reg. No. 47,981	Whitaker, John E.	Reg. No. 42,222
Sumner, John P.	Reg. No. 29,114	Wier, David D.	Reg. No. P-48,229
Swenson, Erik G.	Reg. No. 45,147	Williams, Douglas J.	Reg. No. 27,054
Tellekson, David K.	Reg. No. 32,314	Withers, James D.	Reg. No. 40,376
Trembath, Jon R.	Reg. No. 38,344	Witt, Jonelle	Reg. No. 41,980
Tunheim, Marcia A.	Reg. No. 42,189	Wu, Tong	Reg. No. 43,361
Underhill, Albert L.	Reg. No. 27,403	Young, Thomas	Reg. No. 25,796
Vandenburgh, J. Derek	Reg. No. 32,179	Zeuli, Anthony R.	Reg. No. 45,255
Wahl, John R.	Reg. No. 33,044		
Weaver, Paul L.	Reg. No. 48,640		
Welter, Paul A.	Reg. No. 20,890		

as attorneys and/or patent agents with the full power to represent the applicant in connection with this application.

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Genentech, Inc., a corporation organized and existing under the laws of the State of Delaware, having a place of business at 1 DNA Way, South San Francisco, California 94080-4990, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors, of the patent application identified above. The assignment was recorded in the Patent and Trademark Office on September 8, 1999, at Reel 010217, Frame 0880, or for which a copy is attached.

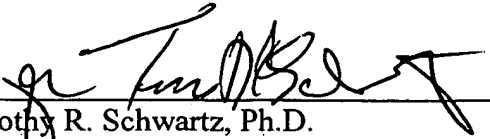
The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please direct all correspondence to Katherine M. Kowalchyk, MERCHANT & GOULD

P.C., P.O. Box 2903, Minneapolis, MN 55402-0903, telephone (612) 332-5300.

Date: 12/21/01

By: 
Timothy R. Schwartz, Ph.D.
Section Patent Counsel
Authorized Corporate Signatory





P1055R1 J4LS
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

NOVEMBER 09, 1999

PTAS



GENENTECH, INC.
JEFFREY S. KUBINEC
1 DNA WAY
SOUTH SAN FRANCISCO, CALIFORNIA 94080

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/08/1999

REEL/FRAME: 010217/0880
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
ASHKENAZI, AVI J.

DOC DATE: 08/04/1999

ASSIGNOR:
BERMAN, PHILLIP W.

DOC DATE: 08/05/1999

ASSIGNOR:
BROUSSEAU, DAVID

DOC DATE: 08/25/1999

ASSIGNOR:
ETCHEVERRY, TINA

DOC DATE: 08/05/1999

ASSIGNEE:
GENENTECH, INC.
1 DNA WAY
SOUTH SAN FRANCISCO, CALIFORNIA

94080-4990

RECEIVED

NOV 22 1999

GENENTECH, INC.
LEGAL DEPT.

010217/0880 PAGE 2

SERIAL NUMBER: 09291925
PATENT NUMBER:

FILING DATE: 04/14/1999
ISSUE DATE:

ALLYSON PURNELL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

Atty Dkt No: P1055R1

Assistant Commissioner of Patents: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Avi J. Ashkenazi, Phillip W. Berman, David Brousseau,
Tina Etcheverry

Additional name(s) of conveying party(ies) attached? Yes ☒ No

2. Name and address of receiving party(ies):

Name: GENENTECH, INC.

Internal Address:

Street Address: 1 DNA Way

City: South San Francisco State: California

ZIP: 94080-4990

Additional name(s) & address(es) attached? Yes ☒ No

3. Nature of conveyance:

☒ Assignment

Merger

Security Agreement

Change of Name

Other:

Execution Date: 4 August 1999, 5 August 1999, 25 August
1999, 5 August 1999

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/291,925

B. Patent No.(s)

Additional numbers attached? Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Jeffrey S. Kubinec
GENENTECH, INC.
1 DNA Way
South San Francisco, CA 94080

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

07-0630

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Jeffrey S. Kubinec
Name of Person Signing
Registration No. 36,575


Signature

September 3, 1999
Date

Total number of pages comprising cover sheet, attachments and document: 5

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner of Patents

Box Assignments

Washington, D.C. 20231

ASSIGNMENT

WHEREAS, Avi J. Ashkenazi, a citizen of United States, residing at 1456 Tarrytown Street, San Mateo, California 94402, and Phillip W. Berman, a citizen of United States, residing at 95 Cheyenne Pt., Portola Valley, CA 94028, and David Brousseau, a citizen of United States, residing at 1274 43rd Avenue, San Francisco, California 94127, and Tina Etcheverry, a citizen of United States, residing at 1471 Greenwood Terrace, Berkeley, California 94708 (hereinafter "ASSIGNORS"), have invented a new and useful invention in

PROTEIN SECRETION

for which an application Serial No. 09/291,925 (Docket No. P1055R1) for Letters Patent has been filed by them on 14 April 1999; and

WHEREAS, GENENTECH, INC., a corporation organized and existing under and by virtue of the laws of the State of Delaware, having a place of business at 1 DNA Way, South San Francisco, California 94080-4990, is desirous of acquiring an interest in and to said invention, and in and to the Letters Patents to be obtained therefor;

NOW, THEREFORE, be it known by all whom it may concern;

That for good and valuable consideration the receipt of which is hereby acknowledged, the said ASSIGNORS have and do hereby sell, assign, transfer and set over unto the said GENENTECH, INC., its successors and assigns, the full and exclusive right, title and interest including all rights under the Paris Convention for the Protection of Industrial Property, in and to said invention, and in and to any and all Letters Patents to be granted and issued therefor or any continuation, division, renewal, or substitute thereof, and as to Letters Patents any reissue or re-examination thereof, not only for, to, and in the United States of America, its territories and possessions, but for, to and in all other countries; and it has been and is hereby authorized and requested that the appropriate government agencies issue said Letters Patents to said GENENTECH, INC., in accordance with this Assignment.

Said ASSIGNORS covenant and agree to cooperate with GENENTECH, INC., to enable said GENENTECH, INC. to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said ASSIGNORS includes prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said GENENTECH, INC., (a) for perfecting the right, title and interest herein conveyed (b) for prosecuting any of said applications; (c) for filing and prosecuting applications for reissuance of any of said patents; (d) for interference or other priority proceedings involving said invention; and (e) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said ASSIGNORS in providing such cooperation shall be paid for by said GENENTECH, INC.

The terms and covenants of this assignment shall inure to the benefit of said GENENTECH, INC., its successors, assigns and other legal representatives, and shall be binding upon said ASSIGNORS, their respective heirs, legal representatives and assigns.

Said ASSIGNORS hereby warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF we undersign as follows;

South San Francisco

Dated: 8/4/99

Avi J. Ashkenazi
Avi J. Ashkenazi

South San Francisco

Dated: _____

Phillip W. Berman

South San Francisco

Dated: 8/25/99

David Brousseau
David Brousseau

South San Francisco

Dated: 8/5/99

Tina Etcheverry
Tina Etcheverry

ASSIGNMENT

WHEREAS, Avi J. Ashkenazi, a citizen of United States, residing at 1456 Tarrytown Street, San Mateo, California 94402, and Phillip W. Berman, a citizen of United States, residing at 95 Cheyenne Pt., Portola Valley, CA 94028, and David Brousseau, a citizen of United States, residing at 1274 43rd Avenue, San Francisco, California 94127, and Tina Etcheverry, a citizen of United States, residing at 1471 Greenwood Terrace, Berkeley, California 94708 (hereinafter "ASSIGNORS"), have invented a new and useful invention in

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South San Francisco

Dated: _____

Avi J. Ashkenazi

South San Francisco

Dated: 8/5/99

Phillip W. Berman
Phillip W. Berman

South San Francisco

Dated: _____

David Brousseau

South San Francisco

Dated: _____

Tina Etcheverry